

UNITED STATES PATENT AND TRADEMARK OFFICE
 (Case No. 03-465-B (400.138))

**IN THE APPLICATION OF:**

McSwiggen et al.))
Serial No.	10/720,448) Examiner: To Be Assigned
Filed:	November 24, 2003) Group Art Unit: 1635
Title	RNA Interference Mediated Inhibition of Gene Expression Using Chemically Modified Short Interfering Nucleic Acid (siNA)) Confirmation No.: 4875

TRANSMITTAL LETTER

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

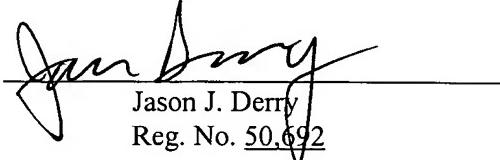
Dear Sir or Madam:

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Response and Amendment to Notice to File Missing Parts of Non Provisional Application;
 - b. Copy of Notice to File Missing Parts of Non Provisional Application;
 - c. Executed combined Declaration and Power of Attorney Document
 - d. Petition for 3 Months Extension of Time
 - e. Return Receipt Postcard.
2. With respect to additional fees,
 Attached are two checks in the amounts of \$65.00 in pursuant to 37 CFR 1.16(e) and \$510.00 pursuant to 37 CFR 1.136(a) 37 CFR 1.17(a)(3) and 37 CFR 1.27
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on January 7, 2005.

Date: January 7, 2005

By :


 Jason J. Derry
 Reg. No. 50,692



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB03-465-B (400.138))

IN THE APPLICATION OF:)
McSwiggen et al.)
Serial No. 10/720,448) Examiner: To Be Assigned
Filed: November 24, 2003) Group Art Unit: 1635
Title RNA Interference Mediated) Confirmation No.: 4875
Inhibition of Gene Expression)
Using Chemically Modified Short)
Interfering Nucleic Acid)

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice to File Missing Parts of Application mailed July 8, 2004, a copy of which is attached, Applicants submit herewith an executed copy of their Declaration and Power of Attorney, pursuant to 37 C.F.R. §1.16(e).

A check in the amount of \$65.00 in payment of the surcharge accompanies this Response. A three month extension of time (with fee) is included herewith. A response is now timely filed on January 7, 2005.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: January 7, 2005

By: 
Jason J. Derry
Reg. No. 50,692

SFW



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/720,448	11/24/2003	James McSwiggen	03-465-B (400/138)

020306
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

DOCKETED

JUL 12 2004

DUE DATE: 9/8/04
BY: 00 *[Signature]*

Date Mailed: 07/08/2004

CONFIRMATION NO. 4875
FORMALITIES LETTER

OC000000013170980

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/19/2005 MMEKONEN 00000015 10720448

01 FC:2051

65.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

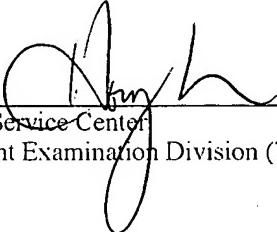
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY